1945

File No. Medical Council II/45

Legal Department

K BRANCH

Subject:— Rules and Notifications under the Bombay Medical Council Act of 1912

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1945

File No. Medical Council II/45

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Office of the R.L.A.

Para. 1 of O.D. note at page 5 ante: In view of the provisions of section 3 of the Bombay Increase of Stamp Duties Act, 1943, the proper amount of stamp duty now is rupee one and annas eight. In rule 65 of the Rules and Regulations of the Bombay Medical Council, for the words "Rupee one for the Government Stamp Duty" the words "the proper amount of stamp duty for the time being leviable thereon" may be substituted. No amendment of the Rules is necessary in respect of Form A below rule 73. The amount of stamp duty shown in Form A can be changed by executive order of the Council.

2. Para. 2 of O.D. note: In view of the provisions of rules 13(c) and 19(e) of the Bombay Stamp Rules, 1939, the proper stamp to use, as pointed also by the Superintendent of Stamps at page 4 ante, is the adhesive Court fee stamp. It is not correct to distinguish 'adhesive stamps' from Court fee stamps, as Court fee stamps may be either adhesive or impressed on stamp papers.

3. It is not necessary to make any further rule as suggested by the Council at page 1 ante; nor can the Council make any such rule in the matter.

Sd/-P.B.Jhaveri
13-7-45

Remembrancer of Legal Affairs.

O.A. to O.D.No. 5212, dated the 16th/17th July, 1945.

S.A.A.
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A revised draft notification in place of the draft at page 23 ante is sent herewith.

2. Rule 39 of the Rules which provides that after the close of any Session of the Council, a printed copy of the confirmed Minutes of such Session shall be sent to each member also requires to be amended to provide for the sending of a typewritten copy. Under section 19 of the Bombay Medical Act, 1912, Government can merely approve rules made by the Medical Council. The correct procedure would be to get the Council to make the rules in the form of the amended draft sent herewith. (including the relevant amendment in rule 39). Government may then approve the amendments.

Sd/-P.H.Moos
24-7-45.

Remembrancer of Legal Affairs.

U.R. to G.D.No. 5545, dated the 27th July 1945.

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NOTIFICATION.
General Department .
Bombay Castle, 1945.

Bombay Medical Act, 1912.

No. .- The following amendments to the Rules of the Bombay Medical Council published in Government Notification, General Department No. 6773, dated the 22nd September 1913, having received the approval of the Government of Bombay under sub-section (1) of section 19 of the Bombay Medical Act, 1912 (Bom. OI of 1912), are published as required by sub-section (2) of the said section 19, namely:-

In the said Rules -

1. To rule 36 the following proviso shall be added, namely:-

"Provided that during the continuance of the Present war and for a period of six months thereafter the proceedings may be preserved in the form of type-written Minutes, which shall afterthe expiry of the said period be printed and preserved in the form of printed ~~Mmmkk~~ Minutes.

2. To rule 39 the following proviso shall be added, namely:-

"Provided that furing the continuance of the present war and for a period of six months thereafter a type-written copy may be sent."

3. To rule 40 the following proviso shall be added, namely:-

"Provided that during the continuance of the present war and for a period of six months thereafter the Minutes may be typewritten, such typewritten Minutes being after the expiry of the said period printed and preserved in the form of printed Minutes.

By order of the Governor of Bombay,

Secretary to Government.

B6A7E/40.